

REMARKS

Claims 1-33 are pending in this application. Claims 1-28 stand rejected. As claims 29-33 were not rejected, Applicant thanks the Examiner for their allowance. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1-21 and 25-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,304,996 (“Van Stralen”). Applicant respectfully requests reconsideration and withdrawal of this rejection.

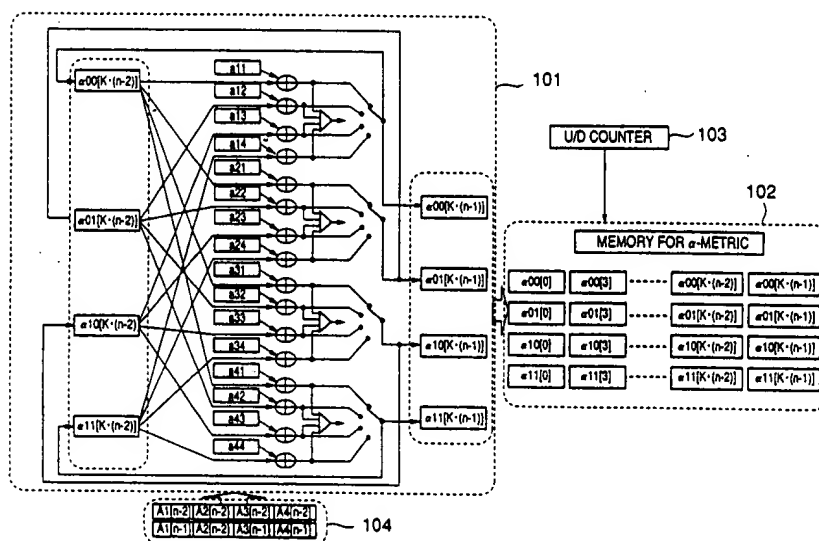
To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of Applicant’s independent claims not present in the cited reference is means for receiving a computation result obtained by said ACS computation means and thereby updating state metrics every plurality of stages (K stages).

As shown in Figure 1 of the present application reproduced below, the alpha metric computation is performed using a high speed turbo decoder.

Figure 1 shows one embodiment according to the present invention using an alpha metric updating circuit 101. Figure 1 discloses a coding method where a constraint length is 3 and there are four states. This case is similar to Figure 3 of Van Stralen reproduced below, where the constraint length is 5 and there are 16 states.

FIG.1



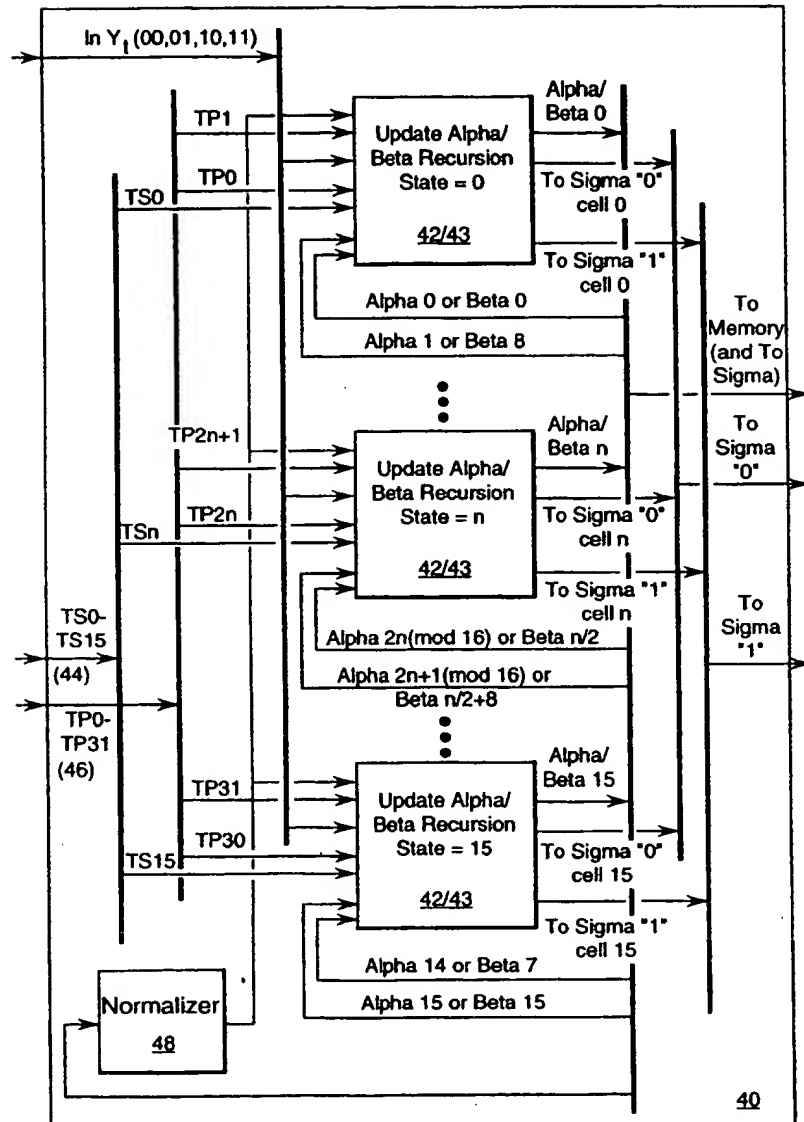
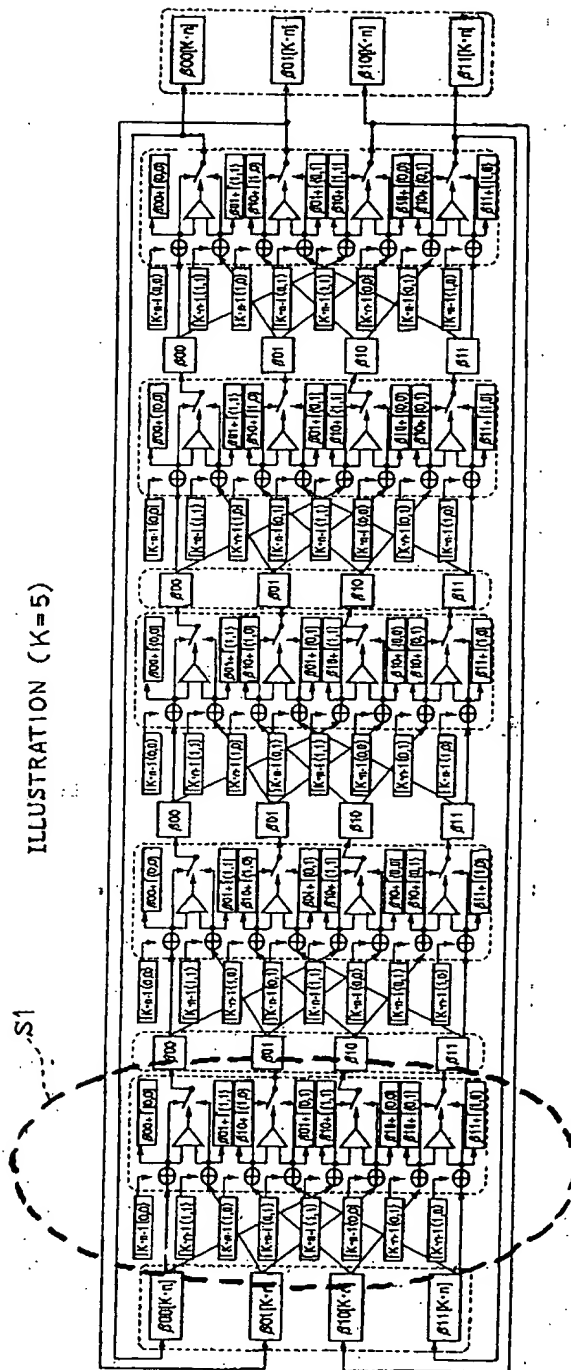


FIG. 3

According to the high-speed coding method of the present invention, if the constraint length is 5, and there are 16 states as in Van Stralen, it is possible to perform further K update operations in addition to all update operations of the 16 states within one clock as shown in the Figure reproduced below.

ILLUSTRATION (K=5)



In contrast, in Van Stralen, the update operation corresponds to only stage (all update operations of 16 states). This update operation is shown in the illustration below, with reference to character S1. As discussed above, the high-speed operation of the present invention is not disclosed in Van Stralen as Van Stralen is unable to perform the further K update operations in addition to all update operations of 16 states as possible by Applicant's claimed invention. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Stralen in view of U.S. Patent No. 6,304,995 ("Smith"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine references to arrive at the claimed subject matter. The prior art references must also teach or suggest all the limitations of the claim in question. See, M.P.E.P. § 706.02(j). A reference can only be used for what it clearly discloses or suggests. See, In re Hummer, 113 U.S.P.Q. 66 (C.C.P.A. 1957); In re Stencel, 4 U.S.P.Q.2d 1071, 1073 (Fed. Cir. 1987). Here, the references, whether taken individually or in combination, do not disclose or suggest the invention claimed by the Applicant.

Smith was not added to include the deficiencies in Van Stralen discussed above but to show additional limitations which, even if it were to show, do not cure

the deficiencies in Van Stralen discussed above. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: December 23, 2004

Respectfully submitted,

By

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